

LAW OFFICES OF
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April 9, 2021

VIA ECF

Hon. Katherine Polk Failla
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *United States of America v. Kenneth Mercado*, 15-cr-608(KPF)

Dear Judge Failla,

I write to seek a CJA appointment to assist Kenneth Mercado with his recently filed motion. I previously represented Mr. Mercado as CJA co-counsel in this matter. Mr. Mercado filed a motion to vacate his conviction pursuant to 28 USC 2255 on 4/5/2021 (ECF No. 503). I respectfully request that I be appointed to represent Mr. Mercado in this motion, and that the Court allow me 30 days to contact Mr. Mercado and assess what, if any, supplemental briefing is required.

Thank you for your attention to this matter.

Very truly yours,



Daniel A. McGuinness

Cc: All Counsel (via ECF)

Application GRANTED. The Court hereby appoints Mr. McGuinness as CJA counsel for the purpose of assisting Mr. Mercado with his motion to vacate his conviction. Mr. McGuinness is directed to update the Court on or before May 12, 2021, as to whether he intends to supplement Mr. Mercado's motion.

Dated: April 12, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE